

Serial No. 09/265,715 Docket No. B70-77 By: LJC
 Application of: Gavari et al Mailed: 1-12-04
 Entitled: Position Sensing Based On Ultrasound Emission

THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

- ☐ Oath or Declaration
☐ Assignment
☒ Charge to Deposit Account 10-0750
☐ Amendment
☐ Extension of Time
☐ Issue Fee Transmittal
☐ PCT Filing _____
☒ IDS-Form 1449
☐ Drawings _____ sheets
☒ references 8

- ☒ MPEP 609/ Search report (2)
☐ Notice of Appeal
☐ Brief
☐ Priority Document
☐ Status Inquiry
☐ Sequence Listings/Diskette
☐ Biological Deposit Declaration

next Under
1.97(e)

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☒ Other Statement Under
37 C.F.R. 1.97(e)

Docket No. BIO-77

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Assaf Govari, et. al. ,

Serial No. : 09/265,715

Art Unit: 3737

Filed : March 11, 1999

Examiner: E.M. Mantis Mercader

For : POSITION SENSING BASED ON ULTRASOUND EMISSION

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
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1/12/04

(Date of Deposit)

Louis J. Capezzuto

(Name of applicant, assignee, or Registered Representative)


(Signature)1/12/04

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on March 11, 1999, August 4, 2000, and December 4, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be

prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ /
the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☒ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ /
the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final

Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows: for as listed on PTO form 1449.

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed March 11, 1999, and December 4, 2003.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/BIO-77/LJC. This form is submitted in triplicate.

Respectfully submitted,



Louis Capezzuto
Reg. No. 37,107
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2218
DATED: 1/12/04

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For : POSITION SENSING BASED ON ULTRASOUND EMISSION

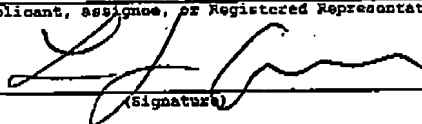
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1/12/04

(Date of Deposit)

Louis J. Capezzuto

(Name of applicant, assignee, or Registered Representative)



(Signature)

1/12/04

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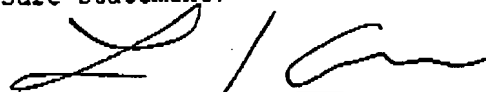
STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby
made that:

☒ Each item of information contained in the information
disclosure statement was first cited in any communication from a
foreign patent office in a counterpart foreign application not more
than three months prior to the filing of the Information Disclosure
Statement; or

☐ No item of information contained in the Information
Disclosure Statement was cited in a communication from a foreign patent
office in a counterpart foreign application, and, to the knowledge of

the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.



Louis J. Capezzuto

Reg. No. 37,107

Attorney for Applicants

Johnson & Johnson
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(732) 524-2218
DATED: 1/12/04

<p>SUBMISSION UNDER MPEP 609 D</p> <p>Page 1 of 1</p>	Application Number	09/265,715
	Filing Date	March 11, 1999
	First Named Inventor	Assaf Govari
	Group Art Unit	3737
	Examiner Name	E.M. Mantis Mercader
	Attorney Docket Number	BIO-77

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature	Date Considered
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